

## Assembly Bill No. 2719

### CHAPTER 301

An act to add Section 2230.5 to the Business and Professions Code, relating to physician discipline, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor August 17, 1998. Filed with  
Secretary of State August 17, 1998.]

#### LEGISLATIVE COUNSEL'S DIGEST

AB 2719, Gallegos. Medicine: accusations.

Under existing law regarding administrative adjudication, a hearing to determine whether a license granted to certain licensees, including physicians and surgeons, shall be revoked, suspended, limited, or conditioned is initiated by filing an accusation. An accusation is a written statement of charges that sets forth in ordinary and concise language the acts or omissions with which a licensee is charged. The Medical Board of California enforces actions involving physician and surgeon licensure.

This bill would require an accusation against a physician and surgeon to be filed with the board within 3 years after the board discovers the act or omission alleged as the ground for disciplinary action, or within 7 years after the act or omission alleged as the ground for disciplinary action occurs, whichever occurs first. This statute of limitation would not apply to an accusation based on the procurement of a license by fraud or misrepresentation.

This bill would declare that it is to take effect immediately as an urgency statute.

*The people of the State of California do enact as follows:*

SECTION 1. Section 2230.5 is added to the Business and Professions Code, to read:

2230.5. (a) Except as provided in subdivision (b), any accusation filed against a licensee pursuant to Section 11503 of the Government Code shall be filed within three years after the board, or a division thereof, discovers the act or omission alleged as the ground for disciplinary action, or within seven years after the act or omission alleged as the ground for disciplinary action occurs, whichever occurs first.

(b) An accusation filed against a licensee pursuant to Section 11503 of the Government Code alleging the procurement of a license by fraud or misrepresentation is not subject to the limitation provided for by subdivision (a).

SEC. 2. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order for the Medical Board of California to enforce actions involving physician and surgeon licensure in the most appropriate and timely manner, it is necessary that this act take effect immediately.

